

REMARKS

The Office Action indicated that the subject matter of Claims 13, 14, 15, 16, 17, 21, 24 and 26 would be allowed if rewritten in independent form.

Applicant appreciates the courtesy of a telephone conference on September 24, 2008, where Examiner Vilakazi indicated that Claims 19, 20 and 23, which were also rejected over *Yuasa et al.* (U.S. Patent No. 6,978,744) would be allowed upon the filing of a Terminal Disclaimer.


Accordingly, applicant is hereby submitting a Terminal Disclaimer over U.S. Patent No. 6,978,744 to obviate the judicially created doctrine of obviousness in accordance with 37 CFR §1.321.

It is believed that the case is now in condition for allowance and an early notification of the same is requested.

If the Examiner believes that a further telephone conference will assist in the prosecution of this case, the undersigned attorney can be contacted at the listed phone number.

Very truly yours,

SNELL & WILMER L.L.P.



Joseph W. Price
Registration No. 25,124
600 Anton Boulevard, Suite 1400
Costa Mesa, CA 92626
Tel: 714-427-7420
Fax: 714-427-7799